

09/242054

Practitioner's Docket No. GM50023

CHAPTER II

TRANSMITTAL LETTER
TO THE UNITED STATES ELECTED OFFICE (EO/US)

(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

PCT/US98/05422	20 March 1998	20 March 1997
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED

NOVEL COMPOUNDS
TITLE OF INVENTION

Michael T. Black, et al.
APPLICANT(S)

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

ATTENTION: EO/US

Sir:

I. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. § 371:

- a. ☒ This express request to immediately begin national examination procedures (35 U.S.C. § 371(f)).
- b. ☒ The U.S. National Fee (35 U.S.C. § 371(c)(1)) and other fees (37 C.F.R. § 1.492) as indicated below:

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date February 8, 1999 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EJ 511 242 063 US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Heather S. Richman
(type or print name of person mailing paper)

Heather S. Richman
Signature of person mailing paper

2. Fees

Claims Fee	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
<input type="checkbox"/> *	TOTAL CLAIMS	26-20=	6	x \$18.00 =	\$ 108.00
	INDEPENDENT CLAIMS	8-3=	5	X 78.00 =	\$ 390.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00				
BASIC FEE**	<input checked="" type="checkbox"/> U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where an International preliminary examination fee as set forth in § 1.482 has been paid on the international application to the U.S. PTO: <input type="checkbox"/> and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(1) to (4) have been satisfied for all the claims presented in the application entering the national stage (37 CFR 1.492(a)(4))\$96.00 <input checked="" type="checkbox"/> and the above requirements are not met (37 CFR 1.492(a)(1))\$670.00 <input type="checkbox"/> U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where no international preliminary examination fee as set forth in § 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in § 1.445(a)(2) to the U.S. PTO: <input type="checkbox"/> has been paid (37 CFR 1.492(a)(2))\$790.00 <input type="checkbox"/> has not been paid (37 CFR 1.492(a)(3))\$1,070.00 <input type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 CFR 1.492(a)(5))\$930.00				\$ 670.00
	Total of above Calculations				= \$ 1,168.00
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (note 37 CFR 1.9, 1.27, 1.28)				-
	Subtotal				\$ 1,168.00
	Total National Fee				\$ 1,168.00
	Fee for recording the enclosed assignment document \$40.00 (37 CFR 1.21(h)). (See Item 13 below). See attached "ASSIGNMENT COVER SHEET".				
TOTAL	Total Fees enclosed				\$ 1,168.00

* See Attached Preliminary Amendment Reducing the Number of Claims.

- i. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- ii. ☒ Please charge Account No. 50-0258 in the amount of \$1,168.00. A duplicate copy of this sheet is enclosed.

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3. ☐ A copy of the International application as filed (35 U.S.C. § 371(c)(2)):
- a. ☐ is transmitted herewith.
- b. ☒ is not required, as the application was filed with the United States Receiving Office.
- c. ☐ has been transmitted
- i. ☐ by the International Bureau.
Date of mailing of the application (from form PCT/1B/308):
- ii. ☐ by applicant on _____
Date
4. ☒ A translation of the International application into the English language (35 U.S.C. § 371(c)(2)):
- a. ☐ is transmitted herewith.
- b. ☒ is not required as the application was filed in English.
- c. ☐ was previously transmitted by applicant on _____
Date
- d. ☐ will follow.
5. ☐ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. § 371(c)(3)):
- a. ☐ are transmitted herewith.
- b. ☐ have been transmitted
- i. ☐ by the International Bureau.
Date of mailing of the amendment (from form PCT/1B/308):
- ii. ☐ by applicant on (date) _____
- c. ☐ have not been transmitted as
- i. ☐ applicant chose not to make amendments under PCT Article 19.
Date of mailing of Search Report (from form PCT/ISA/210.):
- ii. ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

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6. ☐ A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. § 371(c)(3)):
- a. ☐ is transmitted herewith.
 - b. ☐ is not required as the amendments were made in the English language.
 - c. ☐ has not been transmitted for reasons indicated at point 5(c) above.
7. ☒ A copy of the international examination report (PCT/IPEA/409)
- ☐ is transmitted herewith.
 - ☒ is not required as the application was filed with the United States Receiving Office.
8. ☐ Annex(es) to the international preliminary examination report
- a. ☐ is/are transmitted herewith.
 - b. ☐ is/are not required as the application was filed with the United States Receiving Office.
9. ☐ A translation of the annexes to the international preliminary examination report
- a. ☐ is transmitted herewith.
 - b. ☐ is not required as the annexes are in the English language.
10. ☒ An oath or declaration of the inventor (35 U.S.C. § 371(c)(4)) complying with 35 U.S.C. § 115
- a. ☐ was previously submitted by applicant on _____ Date
 - b. ☒ is submitted herewith, and such oath or declaration
 - i. ☐ is attached to the application.
 - ii. ☒ identifies the application and any amendments under PCT Article 19 that were transmitted as stated in points 3(b) or 3(c) and 5(b); and states that they were reviewed by the inventor as required by 37 C.F.R. § 1.70.
 - iii. ☐ will follow.

II. Other document(s) or information included:

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11. ☒ An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a):
- a. ☐ is transmitted herewith.
 - b. ☐ has been transmitted by the International Bureau.
Date of mailing (from form PCT/IB/308):
 - c. ☒ is not required, as the application was searched by the United States International Searching Authority.
 - d. ☒ will be transmitted promptly upon request.
 - e. ☐ has been submitted by applicant on
Date
12. ☒ An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98:
- a. ☐ is transmitted herewith.

Also transmitted herewith is/are:
 - ☐ Form PTO-1449 (PTO/SB/08A and 08B).
 - ☐ Copies of citations listed.
 - b. ☒ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. § 371(c).
 - c. ☐ was previously submitted by applicant on
13. ☐ An assignment document is transmitted herewith for recording.
A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.
14. ☒ Additional documents:
- a. ☐ Copy of request (PCT/RO/101)
 - b. ☒ International Publication No. WO 98/41234.
 - i. ☐ Specification, claims and drawing
 - ii. ☒ Front page only
 - c. ☐ Preliminary amendment (37 C.F.R. § 1.121)

- d. ☒ Other: i. CRF Diskette containing gene sequence listing
ii. Datasheet
iii. Form PCT/IB/301
iv. Form PCT/304

15. ☒ The above checked items are being transmitted
a. ☒ before 30 months from any claimed priority date.
b. ☐ after 30 months.
16. ☐ Certain requirements under 35 U.S.C. § 371 were previously submitted by the applicant on _____, namely:

AUTHORIZATION TO CHARGE ADDITIONAL FEES

- ☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. 50-0258.
- ☒ 37 C.F.R. § 1.492(a)(1), (2), (3), and (4) (filing fees)
- ☒ 37 C.F.R. § 1.492(b), (c) and (d) (presentation of extra claims)
- ☒ 37 C.F.R. § 1.17 (application processing fees)
- ☐ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).
- ☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))
- ☐ 37 C.F.R. § 1.492(e) and (f) (surcharge fees for filing the declaration and/or filing an English translation of an International Application later than 30 months after the priority date).

Respectfully submitted,



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Mailing Date: February 8, 1999